

RENTON CITY COUNCIL
Regular Meeting

April 26, 1999
Monday, 7:30 p.m.

Council Chambers
Municipal Building

MINUTES

CALL TO ORDER

Mayor Jesse Tanner led the Pledge of Allegiance to the flag and called the meeting of the Renton City Council to order.

**ROLL CALL OF
COUNCILMEMBERS**

KING PARKER, Council President; TIMOTHY SCHLITZER; RANDY CORMAN; TONI NELSON; BOB EDWARDS; KATHY KEOLKER-WHEELER; DAN CLAWSON.

**CITY STAFF IN
ATTENDANCE**

JESSE TANNER, Mayor; JAY COVINGTON, Chief Administrative Officer; ZANETTA FONTES, Assistant City Attorney; MARILYN PETERSEN, City Clerk; GREGG ZIMMERMAN, Planning/Building/Public Works Administrator; JIM SHEPHERD, Community Services Administrator; MIKE WEBBY, Human Resources & Risk Management Administrator; PAUL KUSAKABE, Fiscal Services Director; ABDOL GAFOR, Water Utility Supervisor; DEREK TODD, Finance Analyst; CHIEF GARRY ANDERSON, Police Department.

**APPROVAL OF
COUNCIL MINUTES**

MOVED BY PARKER, SECONDED BY CORMAN, COUNCIL APPROVE THE MINUTES OF APRIL 19, 1999 AS PRESENTED. CARRIED.

**APPEAL
Planning & Development
Committee**

Appeal: Renton Technical
College Rezone, R-95-099

Planning & Development Committee Chair Keolker-Wheeler presented a report regarding the appeal of the rezone of Renton Technical College (R-95-099). The Committee convened to consider the college's appeal of the recommendation of the Hearing Examiner dated January 26, 1999.

The subject site is located at NE 4th St. between Monroe and Kirkland Avenues NE. The City had initiated a rezone of this irregularly-shaped 30.32-acre site from Public Use (P-1) to Light Industrial (IL) with a "P" suffix attached.

The Hearing Examiner recommended that the City Council approve the rezone from P-1 to IL with the "P" suffix, subject to certain conditions.

City staff and the college sought reconsideration. On February 25, 1999, that reconsideration was denied. The college appealed conclusion #6 and recommendation (or condition) #3.

After a presentation, the committee found that the condition did not allow for sufficient certainty for the college and the neighborhood. However, the committee agreed with the Hearing Examiner's expressed intention to protect the surrounding residential uses in the event that the college leaves that location.

The committee found that the condition imposed by the Hearing Examiner would not be consistent with the policy of the Council whereby the Council would look for means to provide certainty for the landowner and protect the adjacent residential uses. Staff recommended an amendment to the language proposed by the Hearing Examiner in his condition #3 that would accomplish both ends.

Therefore, the committee recommended that Council amend the language of condition #3 of the Hearing Examiner's recommendation to read as follows:

"IL uses normal and incidental to a state-licensed public vocational or technical college shall be allowed subject to their compliance with local, state or regional requirements pertaining to environmental protection, including but not limited to air, noise, and hazardous waste emissions. Other, non-vocational

school/technical college related uses allowed in the IL zone, as determined by the zoning administrator, shall not be allowed without a conditional use permit or master site plan approval.”

Further, the committee recommended that the Council require that the limitations imposed by the new condition #3 be recorded with the county to ensure that subsequent land owners will be put on notice of the limitations on the use of this parcel as an industrial use.

Finally, the committee recommended that Council rezone the subject property with the conditions imposed by the Hearing Examiner, except condition #3 would be amended as indicated herein. Further, the committee recommended that Council require that the terms of condition #3 be recorded.

MOVED BY KEOLKER-WHEELER, SECONDED BY CLAWSON,
COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.

ADMINISTRATIVE REPORT

Chief Administrative Officer Jay Covington reviewed a written administrative report summarizing the City’s recent progress towards goals and work programs adopted as part of its business plan for 1999 and beyond. Items noted included:

- * Councilmember Toni Nelson spoke at the recent groundbreaking for Residence XII, a new 24-bed alcohol and chemical dependency treatment facility funded in part by the cities of Renton, Kirkland, Bellevue and Issaquah.
- * Last weekend’s limited hydroplane races at Gene Coulon Memorial Beach Park were well-attended, with up to 8,000 spectators on Saturday.
- * K-9 drug dog Razz had to be euthanized last week due to his deteriorating condition from liver cancer. His replacement is currently undergoing training.

AUDIENCE COMMENT

Citizen Comment: Paulsen –
Issaquah School District
Impact Fees

Roger Paulsen, 15657 SE 139th Pl., Renton, 98059, stated that he lives within the Renton School District and has been active in school district matters, especially with regard to its budget. He feared that Renton’s decision on the school impact fee for the Issaquah School District might be taken to mean that Renton does not care about schools or public education, which is not the case. He cared about the East Renton community and looked forward to healing the strife that has occurred in that area over the past year.

Citizen Comment: Rollins –
Issaquah School District
Impact Fees

Jean Rollins, 9605 – 143rd Ave. SE, Renton, urged the Council to approve the Issaquah School District’s request for a \$6,142 school impact fee. If it does not, she requested that Renton review this matter in one year rather than in two.

Citizen Comment: Leavitt –
Issaquah School District
Impact Fees

Cindy Leavitt, 5303 NE 22nd Ct., Renton, 98059, thanked the City for its attention to the request made by the Issaquah School District, noting that it can be hard to plan for the future in the face of so many aspects of growth.

Citizen Comment: Wilcott –
Issaquah School District
Impact Fees

Everett Wilcott, 11830 - 164th Ave. SE, Renton, 98059, explained how the school impact fee being sought by the Issaquah School District was arrived at, claiming that impact fees provide 5% to 12% of the cost of new school construction. He suggested that Renton form a committee of citizens and City Councilmembers to investigate this matter further.

Citizen Comment: Duffus –
Issaquah School District
Impact Fees

Andrew Duffus, 1084 Kirkland Ave. NE, Renton, 98056, encouraged the City to impose the full \$6,142 impact fee requested by Issaquah, noting that Renton is promoting itself as having a “government that listens” and “neighbors who care”.

Citizen Comment: Richter –
Police Response to Dangerous
Incident on 4/20/99

Marge Richter, 300 Meadow Ave. N., Renton, 98055, said that while she and many of her neighbors were affected by an incident last week in which a gunman running from police hid in someone's garage for several hours, the residents were treated well and felt safe. Mrs. Richter complimented the good work of Renton's police force and the other involved agencies, saying it was obvious that all had been well-trained.

Citizen Comment: de Michele –
Issaquah School District
Impact Fees

Barbara de Michele, 360 NW Dogwood, Issaquah, 98027, spoke as a member of the Issaquah School District Board to request that even if Renton approves a school impact fee lower than \$6,142, that it grandfather in the development already approved by King County and charge those homes the full amount.

Citizen Comment: Rogers –
Issaquah School District
Impact Fees

Debra Rogers, 5326 NE 22nd Ct., Renton, 98059, supported the Issaquah School District in its quest for a \$6,142 per home impact fee, saying that she would not have minded paying more than she did when she bought her home in the Stonegate area.

Citizen Comment: Irons –
Issaquah School District
Impact Fees

David W. Irons, 3414 - 260th Ct. SE, Issaquah, 98027, emphasized that the impact fees collected from Renton homeowners will benefit their community. He asked that Renton not focus on where the funds will be spent, but instead on the fact that it will be spent on classrooms for children.

Citizen Comment: Hays –
Issaquah School District
Impact Fees

Paul Hays, 5304 NE 24th Ct., Renton, 98059, stated that he bought his home specifically because it is in the Issaquah School District. He added that Issaquah has good schools and its constituents want to keep them that way.

Citizen Comment: Griffin –
Surface Water Design Manual

Ray Griffin, 14306 - 144th Ave. SE, Renton, 98059, again urged Renton to adopt and use the 1999 King County Surface Water Design Manual rather than the 1990 version, for the protection of the City's citizens as well as its treasury.

MOVED BY CORMAN, SECONDED BY EDWARDS, COUNCIL SUSPEND ITS RULES AND ADVANCE TO THE FINANCE COMMITTEE REPORT ON THE SUBJECT OF THE ISSAQUAH SCHOOL DISTRICT IMPACT FEES. CARRIED.

Action on this matter having been postponed for one week on 4/19/99, the motion to approve the following committee report was now again before Council:

Finance Committee

Finance: Issaquah School
District Impact Fees

Finance Committee Chair Edwards presented a report recommending that Council concur in the Administration's recommendation to impose school impact fees on new single-family residential development in the Renton portion of the Issaquah School District, and more specifically, that:

1. The City adopt an ordinance to collect a school impact fee on behalf of the Issaquah School District of \$2,797 for all new single-family dwelling units built within those portions of the District within Renton's municipal boundaries;
2. The City enter into an interlocal agreement with the Issaquah School District regarding collection of this fee; and
3. This school impact fee be reviewed in two years to consider whether to adjust it.

MOVED BY EDWARDS, SECONDED BY CORMAN, COUNCIL CONCUR IN THE COMMITTEE REPORT.*

Councilman Edwards commented that the school district will be preparing a new capital facilities plan sometime next year.

MOVED BY PARKER, SECONDED BY CORMAN, COUNCIL AMEND THE COMMITTEE REPORT TO CHANGE THE FINAL SENTENCE TO READ: "3. This school impact fee be reviewed at such time in the year 2000 when the Issaquah School District issues its capital facilities plan." CARRIED.

MOTION CARRIED TO APPROVE THE COMMITTEE REPORT AS AMENDED.

Councilman Corman suggested that the next time the Issaquah School District is seeking to have other jurisdictions impose impact fees on its behalf, that it host a summit for all involved jurisdictions (Renton, Bellevue, Newcastle, Sammamish, etc.) in the hope of reaching a consensus on the amount to be charged so as to ensure uniformity and thus fairness across municipal boundaries.

CONSENT AGENDA

Items on the consent agenda are adopted by one motion which follows the listing. At the request of Councilmember Keolker-Wheeler, item 7.e. was removed for separate consideration.

Appointment: Human Rights and Affairs Commission

Mayor Tanner reappointed Thelma Rowlette, 716 N. 31st St., 98059, and Glenda Williams, 4308 NE Sunset Blvd., 98056, both to the Human Rights & Affairs Commission for two-year terms expiring 4/25/2001. Council concur.

Appointment: Library Board

Mayor Tanner reappointed Ken G. Ragland, 2912 Kennewick Pl. NE, 98056, to the Library Board for a five-year term expiring 6/01/2004. Council concur.

Franchise: Cable Television Public Access Facility Proposal

City Clerk/Cable Manager submitted a proposal for a cable television public access facility for joint use by South King County Cities. Refer to Community Services Committee.

Parks: Cedar River Trail Maintenance, Agreement with King County

Community Services Division recommended approval of a Letter of Understanding with King County regarding maintenance of the Cedar River Trail from 131st Ave. SE east to the Cedar River and north to SR-169. Refer to Community Services Committee.

Public Works: Oakesdale Business Park Wetland Buffering Averaging (Use of City Property)

Surface Water Utility Division recommended approval of a request that City-owned property located in the vicinity of SW 43rd St. and Oakesdale Ave. SW be used for wetland buffer averaging for the Oakesdale Business Park in exchange for a drainage easement and an ingress/egress easement. Refer to Utilities Committee.

Technical Services: Appraisal and Right-of-Way Services Annual Agreements

Technical Services Division recommended approval of appraisal and right-of-way services annual agreements for one year, extendable to three years. Council concur.

Streets: Main Ave S Temporary Closure

Transportation Systems Division requested authorization to close the intersection of Main Ave. S. at the railroad crossing on Houser Way S. to all vehicles for one day (nighttime closure). Council concur. (See page 146 for resolution.)

MOVED BY PARKER, SECONDED BY CLAWSON, COUNCIL APPROVE THE CONSENT AGENDA AS AMENDED TO REMOVE ITEM 7.e. FOR SEPARATE CONSIDERATION. CARRIED.

Separate Consideration

Item 7.e.

Plat: Woodcreek, Preliminary, NE 8th/Duvall Ave NE (PP-98-174)

Hearing Examiner recommended approval, with conditions, of the Woodcreek preliminary plat; 19 single family lots on 4.71 acres located on NE 8th St. west of Duvall Ave. NE (PP-98-174).

Councilmember Keolker-Wheeler said while she agreed with the Hearing Examiner's recommendation to approve this preliminary plat, she was troubled

by correspondence between staff and the hearing examiner relating to covenants. Specifically, a member of the Development Services staff claimed that because title reports are not required for building permits, any required covenants would go unnoticed and therefore be unenforceable with a building permit application. The Hearing Examiner was concerned that many (if not most) covenants could thus be ignored.

MOVED BY KEOLKER-WHEELER, SECONDED BY CLAWSON, COUNCIL REFER THE MATTER OF HOW COVENANTS ARE ADDRESSED IN THE DEVELOPMENT SERVICES (I.E., BUILDING PERMIT) PROCESS TO THE PLANNING & DEVELOPMENT COMMITTEE. CARRIED.

MOVED BY KEOLKER-WHEELER, SECONDED BY EDWARDS, COUNCIL CONCUR IN THE RECOMMENDATION OF THE HEARING EXAMINER TO APPROVE THE WOODCREEK PRELIMINARY PLAT, WITH CONDITIONS. CARRIED.

OLD BUSINESS

Transportation (Aviation) Committee

Airport: Sky Harbor Lease Assignment to South Cove Ventures

Transportation (Aviation) Committee Chair Corman presented a report recommending that Council authorize the assignment of Sky Harbor Aviation's lease to South Cove Ventures, and authorize the Mayor and City Clerk to execute the Assignment of Lease. MOVED BY CORMAN, SECONDED BY CLAWSON, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.

Finance Committee

Finance: Vouchers

Finance Committee Chair Edwards presented a report recommending approval of Claim Vouchers 169889 - 170323, and two wire transfers in the total amount of \$1,500,975.74. MOVED BY EDWARDS, SECONDED BY NELSON, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.

Utilities Committee

Regional Issues: Cascade Water Alliance, Renton Participation

Utilities Committee Chair Clawson presented a report regarding that the Cascade Water Alliance make a presentation regarding its mission and goals to the Committee of the Whole. MOVED BY CLAWSON, SECONDED BY KEOLKER-WHEELER, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.

Public Works: Rental of Emergency Generators for Water Pump Stations

Utilities Committee Chair Clawson presented a report recommending concurrence in the staff recommendation that Council authorize the Water Utility Engineering and Water Maintenance sections of the Planning/Building/Public Works Department to proceed with the rental of emergency generators and the design and installation of the required electrical upgrades to the City's water pump stations. This work is necessary for the City to provide the minimum water supply for fire protection and domestic use in the event of a regional power failure related to Year 2000. The Committee further recommended that Council authorize the project be funded from the 1999 Water Utility Operating Fund budget. The estimated cost for the rental of the generators and system upgrade is \$140,000. MOVED BY CLAWSON, SECONDED BY KEOLKER-WHEELER, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.

ORDINANCES AND RESOLUTIONS

Resolution #3390

Streets: Main Ave S Temporary Closure

The following resolution was presented for reading and adoption:

A resolution was read authorizing the temporary closure of Main Ave. S. at the intersection of the railway crossing at Houser Way South. MOVED BY PARKER, SECONDED BY CORMAN, COUNCIL ADOPT THE

RESOLUTION AS PRESENTED. CARRIED.

The following ordinances were presented for second and final reading:

Ordinance #4778

Police: Air Gun Exception re:
Migratory Bird Control

An ordinance was read amending Section 6-2-3 of Chapter 2, Air Guns, of Title VI (Police Regulations) of City Code by adding an exception relating to the control of migratory birds. MOVED BY EDWARDS, SECONDED BY CORMAN, COUNCIL ADOPT THE ORDINANCE AS READ.*

Councilmember Keolker-Wheeler reiterated her request for information on whether the use of air guns will impact any other birds besides the Canada geese. Mayor Tanner noted that the airport already employs a gas cannon, the purpose of which is to discourage any birds – not just the Canada geese – from nesting in the vicinity of the airport.

*ROLL CALL: ALL AYES. CARRIED.

Ordinance #4779

Rezone: Pierre Grady Way Site
from CO to IM, R-98-126

An ordinance was read changing the zoning classification of approximately 2.74 acres located at SW Grady Way between Oakesdale and Powell Avenues SW from Commercial Office (CO) to Medium Industrial (IM); Pierre rezone, R-98-126. MOVED BY EDWARDS, SECONDED BY NELSON, COUNCIL ADOPT THE ORDINANCE AS READ. ROLL CALL: ALL AYES. CARRIED.

EXECUTIVE SESSION

MOVED BY PARKER, SECONDED BY NELSON, COUNCIL ADJOURN INTO EXECUTIVE SESSION FOR 30 MINUTES TO DISCUSS LITIGATION. CARRIED. Time: 8:40 p.m.

The meeting was reconvened at 9:10 p.m.; roll was called; all Councilmembers present.

ADJOURNMENT

MOVED BY PARKER, SECONDED BY SCHLITZER, COUNCIL ADJOURN. CARRIED. Time: 9:11 p.m.

MARILYN J. PETERSEN, CMC, City Clerk